

REMARKS

Claims 20-37 are presently pending in this application. Claims 1-4, 7-13, 15, and 17-19 were pending in this application when the present Final Office Action was mailed (August 28, 2007). In this response, claims 1-4, 7-13, 15, and 17-19 have been cancelled, and new claims 20-37 have been added.

In the August 28th Office Action, (a) claim 1 was objected to because of a minor informality; (b) claims 1-4, 8-11, and 17-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent Application Publication No. US2004/0097528 of Lee et al. ("Lee") and U.S. Patent Application Publication No. US2004/0023684 of Sato et al. ("Sato"); (c) claims 12, 13, and 15 were rejected under 35 U.S.C. § 102(e) over Lee; and (d) claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Lee, Sato, and U.S. Patent Application Publication No. US2003/0064685 of Kim ("Kim"). Without commenting on or conceding the merits of these rejections, claims 1-4, 7-13, 15, and 17-19 have been cancelled in this response, without prejudice to pursuing these claims in a continuation, continuation-in-part, and/or other application. As a result, the objection to claim 1 and the §§ 102 and 103 rejections of claims 1-4, 7-13, 15, and 17-19 are now moot.

New claims 20-37 have been added in this response. The subject matter of these claims is supported by the figures and the text of the original application. Therefore, these claims do not add any new matter to the application and are fully supported under 35 U.S.C. § 112.

The applicant respectfully submits that these claims are patentable over the cited references for reciting features neither disclosed nor suggested by the cited references. For example, claims 20-24 recite, *inter alia*, "a cap covering the open end of the housing, wherein the cap and the housing enclose the sound-generating element and the picture-taking element, and wherein the generally hollow interior portion is positioned as a resonant space for sounds generated by the sound-generating

element." The cited references do not disclose or suggest this feature. For example, Sato describes a portable telephone having an upper housing carrying a speaker (Sato at [0028]) and an imaging unit located at a hinge area between a lower housing and the upper housing (Sato at [0032]; *see also* Figure 1). However, Sato does not disclose or suggest that the speaker and the imaging unit are located within the same enclosure within the portable telephone, let alone an enclosure that forms a resonant space for sounds generated by the speaker. Lee describes a portable telephone with dual speakers and a camera. (Lee at [0034] – [0036].) Lee further describes that each of the dual speakers are located within an isolated speaker room, and between the speakers is an empty space. (Lee at [0047] and [0048].) However, Lee does not disclose or suggest that either one of the speakers and the camera are within the same enclosure within the portable telephone. Lee further describes that the empty space between the speakers "is preferably filled with an insulating material such as rubber for preventing resonance of sound." (Lee at [0047].) Therefore, Lee teaches away from providing a resonant space for sounds generated by the speakers. Accordingly, neither Sato nor Lee discloses or suggests "a cap configured to cover the open end of the housing, wherein the cap and the housing substantially enclose the sound-generating element and the picture-taking element, thereby enabling the substantially hollow interior to serve as a resonant space for sounds generated by the sound-generating element." Kim fails to cure the deficiencies of Sato and Lee with respect to claims 20-24. Moreover, it would not have been obvious to modify these references to arrive at the claimed features. As a result, claims 20-24 are patentable over the cited references.

Claims 25-28 recite, *inter alia*, "wherein the body encloses the at least one sound-generating element and the at least one image-capturing element, and wherein the interior region of the body provides a resonant space for sound generated by the at least one sound-generating element." Claims 29-35 recite, *inter alia*, "wherein the first chamber substantially encloses the first sound-generating element, thereby forming a first resonant space for first sounds generated by the first sound-generating element,

and wherein the second chamber substantially encloses the second sound-generating element, thereby forming a second resonant space for second sounds generated by the second sound-generating element." Claims 36 and 37 recite, *inter alia*, "housing means for housing the sound-generating means and the image-capturing means in an enclosed space that functions as a resonant space for the sound generated by the sound-generating means." Neither Sato, Lee, nor Kim disclose or suggest the various claimed features of these claims. Moreover, it would not have been obvious to modify these references to arrive at the claimed features. As a result, claims 25-37 are patentable over the cited references.

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the cited references. The applicant accordingly requests reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Aaron Poledna at (206) 359-3982.

Dated: January 28, 2008

Respectfully submitted,

By 

Aaron J. Poledna

Registration No.: 54,675

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant